IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

JOHN M. CONSTANTINI,

on his own behalf and as administrator of

the estate of CHERYL A. CONSTANTINI, :

Plaintiff,

v.

OPTIMUM CHOICE, INC.

Defendant.

Civil Action No. 05-680

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that the time for defendant, Optimum Choice, Inc., to move against, answer or otherwise respond to the Complaint is extended through and including, October 16, 2005.

Maryanne T. Donaghy (#42/3)

Stradley Ronon Stevens & Young, LLP

300 Delaware Ave., Suite 800

Wilmington, DE 19801

(302) 576-5850

Attorney for Defendant, Optimum Choice, Inc.

John S. Spadaro (#3155) 1011 Centre Road, Suite 2

1011 Centre Road, Suite 210

Wilmington, DE 19805

(302) 472-8100

Attorney for Plaintiffs, John M. Constantini, on his own behalf and

of the estate of Cheryl A. Constantini

Case 1:05-cv-00680-GMS Document 4

Filed 09/26/2005 Page 2 of 2

Frances Gauthier (#3390)

Stradley Ronon Stevens & Young, LLP

300 Delaware Ave., Suite 800 Wilmington, DE 19801

(302) 576-5850

Attorney for Defendant, Optimum Choice, Inc.

S0 ORDERED this

day of September, 2005.

United States District Judge